

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	:	<b>Case No. 1:02-CR-077</b>
	:	
<b>Plaintiff,</b>	:	<b>Senior Judge Weber</b>
	:	
<b>v.</b>	:	
	:	
	:	<b><u>UNITED STATES' MOTION TO</u></b>
	:	<b><u>HAVE DEFENDANT RICARDO</u></b>
<b>RICARDO LEE,</b>	:	<b><u>LEE PSYCHIATRICALY</u></b>
	:	<b><u>EXAMINED</u></b>
<b>Defendant.</b>	:	
	:	

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The United States hereby moves this Court for an Order that defendant Ricardo Lee be psychiatrically examined at a Federal Medical Center designated by the Bureau of Prisons, pursuant to 18 U.S.C. § 4241(a), in order to determine whether the defendant currently is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

Respectfully submitted,

GREGORY G. LOCKHART  
United States Attorney

s/Deborah D. Grimes  
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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>  <div style="text-align: center;"><b>Plaintiff,</b></div>  <div style="text-align: center;">v.</div>  <b>RICARDO LEE,</b>  <div style="text-align: center;"><b>Defendant.</b></div>	: : : : : : : : : : : :	<b>Case No. 1:02-CR-077</b>  <b>Senior Judge Weber</b>   <u><b>MEMORANDUM IN SUPPORT OF</b></u> <u><b>UNITED STATES' MOTION TO</b></u> <u><b>HAVE DEFENDANT RICARDO</b></u> <u><b>LEE PSYCHIATRICALY</b></u> <u><b>EXAMINED</b></u>
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Defendant Ricardo Lee is charged with violating the Conditions of Supervised Release, a violation of 18 U.S.C. § 3583, pursuant to a felony conviction for the commission of Possession of a Firearm by a Convicted Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

The United States seeks the competency examination of the defendant because at the time of his initial appearance on March 7, 2007, the defendant exhibited behavior which suggested that he may be suffering from a mental disease or defect. For example, defendant Lee refused to communicate with his counsel regarding the proceedings against him, and he was unable to

answer questions asked by the Court.

In the past, the defendant has responded to medication administered to him; however, at the time of his arrest, defendant Lee was not taking his psychiatric medications as prescribed and was not attending mental health treatment appointments as required.

Accordingly, the United States seeks an order that the defendant be psychiatrically examined at a Federal Medical Center designated by the Bureau of Prisons in order to make this determination.

**Conclusion**

For the foregoing reasons, the United States' Motion to Have Defendant Ricardo Lee Psychiatrically Examined should be granted.

Respectfully submitted,

GREGORY G. LOCKHART  
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing United States' Motion to Have Defendant Ricardo Lee Psychiatrically Examined was served this 16<sup>th</sup> day of March, 2007, electronically on: Richard Smith-Monahan, Attorney for Defendant Ricardo Lee.

s/Deborah D. Grimes  
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